

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 04-CR-10384-PBS

UNITED STATES

v.

DANIEL KAMEN

MOTION TO APPOINT COUNSEL

The defendant Daniel Kamen moves that the Court enter an order appointing Charles W. Rankin to represent him under the terms of the Criminal Justice Act. In support of this motion, the defendant states:

1. Undersigned counsel has represented the defendant as retained counsel since September 2005. The representation has included a trial and post-trial proceedings. At this time, the Government is deciding whether to appeal the Court's order granting the defendant a new trial.

2. To date, the defendant's legal fees have been paid by the defendant's mother. Ms. Kamen is a person of modest means, and has been using money intended for retirement to pay for this representation. She works as a music teacher. If she continues paying for counsel, she will have to consider selling the family home.

3. The defendant qualifies for appointed counsel. His completed financial affidavit is attached. Counsel is willing to accept an appointment, and it is in the interests of justice that the representation continue uninterrupted.

Respectfully submitted,
DANIEL KAMEN
By his attorneys,

/s/ Charles W. Rankin

Charles W. Rankin, BBO No. 411780
Michelle Menken, BBO No. 644537
Rankin & Sultan
151 Merrimac Street
Boston, MA 02114
617-720-0011

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on May 15, 2007.

/s/ Charles W. Rankin

Charles W. Rankin

FINANCIAL AFFIDAVIT			
IN THE UNITED STATES OF AMERICA, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.			
IN THE CASE OF	FOR	AT	LOCATION NUMBER
_____ V.S. _____	_____	_____	_____
PERSON REPRESENTED (Show your full name)		DOCKET NUMBERS	
Daniel Matthew Kamen		Magistrate	
		District Court	
		Court of Appeals	
CHARGE/OFFENSE (describe if applicable & check box →)		1 <input checked="" type="checkbox"/> Defendant - Adult 2 <input type="checkbox"/> Defendant - Juvenile 3 <input type="checkbox"/> Appellant 4 <input type="checkbox"/> Probation Violator 5 <input type="checkbox"/> Parole Violator 6 <input type="checkbox"/> Habeas Petitioner 7 <input type="checkbox"/> 2255 Petitioner 8 <input type="checkbox"/> Material Witness 9 <input type="checkbox"/> Other	
		<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor	

ASSETS	EMPLOYMENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self-Employed Name and address of employer: _____ IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment _____ How much did you earn per month? \$ _____							
	OTHER INCOME	If married is your Spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____ IF YES, how much does your Spouse earn per month? \$ _____ Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%; text-align: center;">RECEIVED</th> <th style="width: 50%; text-align: center;">SOURCES</th> </tr> </thead> <tbody> <tr> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>\$ _____</td> <td>_____</td> </tr> </tbody> </table>		RECEIVED	SOURCES	\$ _____	_____	\$ _____	_____
	RECEIVED	SOURCES							
	\$ _____	_____							
\$ _____	_____								
CASH	Have you any cash on hand or money in savings or checking accounts? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ _____								
PROPERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, GIVE THE VALUE AND \$ DESCRIBE IT <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%; text-align: center;">VALUE</th> <th style="width: 60%; text-align: center;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> </tr> </tbody> </table>		VALUE	DESCRIPTION	_____	_____	_____	_____	
VALUE	DESCRIPTION								
_____	_____								
_____	_____								
DEPENDENTS		MARITAL STATUS	Total No. of Dependents						
		<input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SEPARATED OR DIVORCED	List persons you actually support and your relationship to them _____ _____ _____						
OBLIGATIONS & DEBTS		APARTMENT OR HOME	Creditors						
DEBTS & MONTHLY BILLS		Total Debt	Monthly Paymt.						
LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CREDIT CARD COMPANIES, ETC.		Bank Card	\$ 4,000						
Prescriptions		\$ 200	\$ 200						
_____		\$ _____	\$ _____						
_____		\$ _____	\$ _____						

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date)

SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)May 10, 2007
Daniel Matthew Kamen